

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PROPOSAL OF B & H INCORPORATED )  
TO ASSESS A MINIMUM CHARGE FOR ) CASE NO.  
SEWER SERVICE TO UNOCCUPIED PREMISES) 90-293

O R D E R

On August 27, 1990, B & H Incorporated ("B & H") filed a revised tariff sheet with the Commission wherein it proposed to assess a minimum bill to each unit connected to its sewer system regardless of the unit's occupancy. Finding that this proposed revision required further inquiry, the Commission suspended its operation and established this case.

Unlike other types of utility service, sanitary sewer service cannot be easily or inexpensively discontinued or restored. The facilities used to provide sewer service will not permit this convenience. Service is not provided merely by turning a valve or throwing a switch. In most circumstances, the customer's sewer line must be dug up and capped to discontinue service. Restoring service requires equally extensive plumbing work. Except for extended periods of nonuse, such actions are economically prohibitive. Under the proposed tariff revision, the only way the owner of unoccupied property could avoid incurring a service charge for unused service would be to dig up the sewer line and cap it.

The problems created by the proposed tariff revision are even greater where multi-unit residences are involved. In those instances, the owner of the multi-unit structure cannot discontinue service to an unoccupied unit without also discontinuing service to occupied units. In effect, he must pay for service which goes unused in order to ensure service to his occupied units.

The Commission has previously addressed this situation and has held that a utility's attempt to assess a charge for service to an unoccupied unit where no means to discontinue service exists is improper and unfair.<sup>1</sup> We believe that holding is also applicable in those cases where the disconnection and reconnection of service is economically prohibitive. Accordingly, the Commission finds that the proposed tariff revision is unjust and unreasonable and should be rejected.

IT IS THEREFORE ORDERED that B & H's proposed tariff revision is hereby rejected.

Done at Frankfort, Kentucky, this 13th day of December, 1990.

ATTEST:

  
Executive Director

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

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<sup>1</sup> Case No. 10132, Charles Combs & K. J. Woodruff v. Jessamine County Water District No. 1, Order dated August 22, 1988.